

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

ANDREA MCSWAIN, AS PERSONAL)
REPRESENTATIVE OF THE ESTATE)
OF CHARLES BURNETTE, AND FOR)
THE BENEFIT OF THE STATUTORY)
BENEFICIARY CLAIMANT: ANDREA)
MCSWAIN,)

PLAINTIFF,)

vs.)

MAGNOLIA PLACE OF)
SPARTANBURG AND THI OF SOUTH)
CAROLINA AT MAGNOLIA PLACE)
AT SPARTANBURG, LLC,)

DEFENDANTS.)

C.A. NO. 7:16-CV-00310-MGL

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE**

The Plaintiff, Andrea McSwain, as Personal Representative of the Estate of Charles Burnette, and for the Benefit of the Statutory Beneficiary Claimant: Andrea McSwain, and the Defendant THI of South Carolina at Magnolia Place at Spartanburg, LLC, having agreed to end the above captioned matter without prejudice,

IT IS STIPULATED, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, by James Segura, Esquire, attorney for the Plaintiff and by the D. Jay Davis, Jr., and Perry M. Buckner, IV, attorneys for the Defendant THI of South Carolina at Magnolia Place at Spartanburg, LLC, that the above captioned matter be ended without prejudice as to this defendant.

[SIGNATURE BLOCKS ON FOLLOWING PAGE]

WE STIPULATE AND CONSENT:

JAMES W. SEGURA, ESQUIRE

By: s/ James W. Segura
James W. Segura, Esquire
304 Pettigru Street
Greenville, SC 29601
(864) 271-2232; jamessegura@charter.net
Attorney for the Plaintiff

WE STIPULATE AND CONSENT:

YOUNG CLEMENT RIVERS, LLP

By: s/ D. Jay Davis, Jr.
D. Jay Davis, Jr. Federal ID #6723
Perry M. Buckner, IV Federal ID #11298
P.O. Box 993, Charleston, SC 29402
(843) 720-5406; E-mail:
jdavis@ycrlaw.com; pbuckner@ycrlaw.com
Attorneys for the Defendant THI of South
Carolina at Magnolia Place of Greenville